

AHDOOT & WOLFSON, P.C.
TINA WOLFSON (174806)
ROBERT AHDOOT (172098)
THEODORE W. MAYA (223242)
1016 Palm Avenue
West Hollywood, California 90069
Telephone: 310/474-9111
310/474-8585 (fax)
twolfson@ahdootwolfson.com
rahdoot@ahdootwolfson.com
tmaya@ahdootwolfson.com

BLOOD HURST & O'REARDON, LLP
TIMOTHY G. BLOOD (149343)
LESLIE E. HURST (178432)
701 B Street, Suite 1700
San Diego, CA 92101
Telephone: 619/338-1100
619/338-1101 (fax)
tblood@bholaw.com
lhurst@bholaw.com

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION

DIANA PARKER, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

J. M. SMUCKER CO., an Ohio
corporation,

Defendant.

Case No.: 3:13-cv-00690-SC

STIPULATION AND ~~PROPOSED~~ ORDER
CONTINUING CERTIFICATION BRIEFING
AND HEARING DATES

CLASS ACTION

JURY TRIAL DEMANDED

Judge: Hon. Samuel Conti
Courtroom: 1, 17th Floor

IT IS SO ORDERED AS MODIFIED

1 WHEREAS, the parties to this Action, Plaintiff Diana Parker, on behalf of herself, all
2 others similarly situated, and the general public, and Defendant J.M. Smucker Co.
3 (collectively, the “Parties”), have engaged in discovery and in extensive meet-and-confers
4 related to that discovery, including negotiations on protocols relating to the production of and
5 search for targeted electronically stored information and the scope and timing of a deposition
6 of Defendant pursuant to Federal Rule of Civil Procedure 30(b)(6), and the Parties agree that
7 this discovery is necessary to adequately brief Plaintiff’s anticipated Motion to Certify a Class
8 in this action (the “Motion”);

9 WHEREAS, the Court issued a Minute Order dated November 22, 2013, adopting the
10 briefing and hearing schedule proposed by the Parties in their Joint Case Management
11 Statement, under which Plaintiff’s Motion would be due by 03/28/2014, Defendant’s response
12 would be due 05/23/2014, Plaintiff’s reply would be due 06/20/2014, and the Motion would be
13 heard on Friday, 07/11/2014, at 10 AM (Docket No. 35);

14 WHEREAS, Defendant is continuing to produce documents in response to Plaintiff’s
15 discovery requests, which may be used in briefing on the Motion and in connection with the
16 upcoming deposition discussed below;

17 WHEREAS, the Parties are continuing to negotiate and attempting to schedule
18 deposition(s) pursuant to Federal Rule of Civil Procedure 30(b)(6), which the Parties currently
19 anticipate conducting in late April given the witnesses’ availabilities;

20 WHEREAS, the Parties previously stipulated to enlarge Defendant’s time to respond to
21 the Complaint in this action (Docket Nos. 5, 7), to enlarge Defendant’s time to respond to the
22 Amended Complaint (Docket No. 16), to continue the case management conference and set a
23 briefing schedule for Defendant’s motion to dismiss that Amended Complaint (Docket Nos.
24 18-19), and to extend Defendant’s time to answer the Amended Complaint following the
25 Court’s denial of the motion to dismiss (Docket No. 30); and
26
27
28

WHEREAS, the Parties agree that the schedule previously proposed by the Parties and adopted by the Court for briefing and hearing Plaintiff's Motion should be continued as described below to allow the foregoing discovery to proceed in advance of that briefing;

IT IS HEREBY STIPULATED, subject to the approval of the Court, that:

1. Plaintiff's Motion to Certify a Class should be due on or before May 30, 2014
2. Defendant's Opposition to that Motion should be due on or before July 25, 2014.
3. Plaintiff's Reply in Support of that Motion should be due on or before August 22, 2014.
4. The Hearing on Plaintiff's Motion should be set for September 12, 2014, or such other date as the Court may deem appropriate and convenient.

Dated: March 21, 2014

AHDOOT & WOLFSON, P.C.

By: /s/ Tina Wolfson
Tina Wolfson

TINA WOLFSON (174806)
ROBERT AHDOOT (172098)
THEODORE W. MAYA (223242)
1016 Palm Ave.
West Hollywood, California 90069
Telephone: 310/474-9111
310/474-8585 (fax)
twolfson@ahdootwolfson.com
rahdoot@ahdootwolfson.com
tmaya@ahdootwolfson.com

BLOOD HURST & O'REARDON, LLP
TIMOTHY G. BLOOD (149343)
LESLIE E. HURST (178432)
701 B Street, Suite 1700
San Diego, CA 92101
Telephone: 619/338-1100
619/338-1101 (fax)
tblood@bholaw.com
lhurst@bholaw.com

Attorneys for Plaintiff

Dated: March 21, 2014

JENNER & BLOCK LLP

By: /s/ Kenneth Lee

KENNETH K. LEE

DEAN N. PANOS (*pro hac vice*)
353 N. Clark Street
Chicago, IL 60654
Telephone: 312/222-9350
312/527-0484 (fax)
dpanos@jenner.com

JENNER & BLOCK LLP
KENNETH K. LEE (264296)
KATE T. SPELMAN (269109)
633 West 5th Street, Suite 3600
Los Angeles, CA 90071-2054
Telephone: 213/239-5100
213/239-5199 (fax)
klee@jenner.com
kspelman@jenner.com

~~PROPOSED~~ ORDER

Having reviewed the above Stipulation to Continue the briefing and hearing schedule on Plaintiff's Motion to Certify a Class in this action, and good cause appearing therefore, the Stipulation is GRANTED, and the schedule proposed by the Parties above is ~~adopted by the~~ so modified by this Court. The hearing on Plaintiff's motion shall be scheduled for 09/19/2014.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 03/26/2014

